

REMARKS

At the time of the Office Action dated April 21, 2004, claims 1-4 were pending, all of which have been rejected under 35 U.S.C. §102(e) as being anticipated by Wada et al.

Applicant acknowledges, with appreciation, Examiner Kim's courtesy and professionalism in discussing differences between the claimed invention and what is disclosed by Wada et al. on April 30, 2004. It is Applicant's understanding that this application would be placed in condition for allowance if Wada et al. is disqualified as prior art by perfecting the priority date of the present Application.

Applicant has enclosed a certified translation of the Japanese priority document (Japanese patent application No. 2000-283655) to perfect the early filing date. Wada et al. has an effective filing date of **October 20, 2000**. However, the instant application has a priority date of **September 19, 2000** based on the claim of priority to Japanese patent application No. 2000-283655. Wada et al. accordingly does not constitute prior art to the instant Application.

Applicant, therefore, respectfully submits that the imposed rejection of claims 1-4 under 35 U.S.C. §102(e) by Wada et al. is not viable and, hence, solicits withdrawal thereof.

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicant's attorney at the telephone number shown below.

09/902,588

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

A handwritten signature in black ink, appearing to read "Tomoki Tanida", written over a horizontal line.

Tomoki Tanida

Recognition under 37 C.F.R. 10.9(b)

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